



## Representation form: Consultation on the further Main Modifications to the emerging Local Plan

### Important Note: this stage of consultation is limited to the proposed further Main Modifications to the Plan only

This form should be used to make representations on the further Main Modifications to the Epping Forest District Local Plan Submission Version 2017 to the Local Plan Inspector. The Main Modifications Schedule clearly denoting the further Main Modifications, online response form, and all required supporting documentation can be accessed via the Examination website at [www.efdclocalplan.org](http://www.efdclocalplan.org). Please complete and return representations by Friday 09 December at 5pm.

Please note, the content of your representation including your name will be published online and included in public reports and documents.

It is important that you refer to the [guidance notes](#) on the Examination website before completing this form.

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The quickest and easiest way to make representations is via the online response form at [www.efdclocalplan.org](http://www.efdclocalplan.org).

If you need to use this downloadable version of the form please email any representations to [MMCons@eppingforestdc.gov.uk](mailto:MMCons@eppingforestdc.gov.uk)

Or post to: FMM Consultation 2022, Planning Policy, Epping Forest District Council, Civic Offices, 323 High Street, Epping, Essex, CM16 4BZ

### Representations must be received by 5pm on Friday 09 December 2022

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This form is in two parts:

Part A – Your Details

Part B – Your representation(s) on the further Main Modifications and/or supporting documents.  
Please fill in a separate Part B for each representation you wish to make.

The Main Modifications Schedule clearly denoting the further Main Modifications and supporting documents can be accessed online at [www.efdclocalplan.org](http://www.efdclocalplan.org). The supporting documents to the further Main Modifications are listed below. Representations concerning their content will be accepted to the extent that they are relevant to inform your comments on the further Main Modifications. However, you should avoid lengthy comments on the evidence/background documents themselves.

- A. Council's response to Actions outlined in Inspector's note to Epping Forest District Council (Examination Document reference number ED141), October 2022 (ED144-ED144A)
- B. Sustainability Appraisal Report Addendum, October 2022 (ED148/ EB214)
- C. 2022 Habitats Regulations Assessment, October 2022 (ED149-ED149A/EB215A-B)

No representations should be made about parts of the Plan that are not proposed to be modified nor upon Main Modifications that were consulted upon in 2021 and which have not changed. Consultees should not re-submit previous representations. Such responses will not be considered by the Inspector.

***Please only attach documents essential to support your representation. You do not need to attach representations you have made at previous stages.***

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## Part A – Your Details

1. Are you making this representation as? (Please tick as appropriate)

- a) Resident or Member of the General Public  or
- b) Statutory Consultee, Local Authority or Town and Parish Council  or
- c) Landowner  or
- d) Agent

Other organisation (please specify)

### 2. Personal Details

### 3. Agent's Details (if applicable)

Title	<input type="text" value="MR"/>	<input type="text" value="Mr"/>
First Name	<input type="text" value="John"/>	<input type="text" value="Martin"/>
Last Name	<input type="text" value="Tarvit"/>	<input type="text" value="Friend"/>
Job Title (where relevant)	<input type="text" value="Director of Planning"/>	<input type="text" value="Consultant"/>
Organisation (where relevant)	<input type="text" value="Wates Developments"/>	<input type="text" value="Vincent and Gorbng"/>
Address Line 1	<input type="text" value="██████████"/>	<input type="text" value="██████████"/>
Line 2	<input type="text" value="██████████"/>	<input type="text" value="██████████"/>
Line 3	<input type="text" value="██████████"/>	<input type="text" value="██████████"/>
Line 4	<input type="text" value="██████"/>	<input type="text" value="████"/>
Post Code	<input type="text" value="████████"/>	<input type="text" value="████████"/>
Telephone Number	<input type="text" value="██████████"/>	<input type="text" value="██████████"/>
E-mail Address	<input type="text" value="██████████████████"/>	<input type="text" value="██"/>

Name:

**Part B – Your representation on the further Main Modifications and/or supporting documents**

If you wish to make more than one representation, please complete a separate [Part B form](#) for each representation and clearly print your name at the top of this form.

4. Which further Main Modification and/or supporting document does your representation relate to? (Representations are only invited on further Main Modifications within the Schedule. These are denoted by red text. The reference number can be found in the first column in red i.e. **MM2**, **MM11** and each Supporting Document has a reference number beginning with ED).

Any representation on a supporting document should clearly state (in question 6) which paragraphs of the document it relates to and, as far as possible, your comments should be linked to specific further Main

MM no.  Supporting document reference

5. Do you consider this further Main Modification and/or supporting document:  
(Please refer to the Guidance notes for an explanation of terms)

- a) Is Legally compliant      Yes       No
- b) Sound      Yes       No

If no, then which of the soundness test(s) does it fail

Positively prepared       Effective

Justified       Consistent with national policy

6. Please give details of why you consider the further Main Modification and/or supporting document is not legally compliant or is unsound. Please be as precise and concise as possible. If your response exceeds 300 words please also provide an executive summary of no more than 300 words. If you wish to support the legal compliance, soundness of the Local Plan or compliance with the duty to co-operate, please also use this box to set out your comments.

Summary : the updated housing land supply and housing trajectory provided by Council in document ED141 demonstrates that the proposed stepped trajectory is even more pronounced that previously suggested, such that the Plan now exacerbates the last 10 years of significant under-supply of homes and relies on a significant uplift in supply beyond the next five year period to make up for this shortfall. The plan is unsound in this regard

Continued

The Inspector in his note of June 2022 (ED140) requested that the Council provide an updated housing trajectory and indicated that he needed to be satisfied that a 5 year housing land supply will be available on the adoption of the plan.

The Council's analysis of the housing supply trajectory at pages 16 – 19 and Appendix A of ED141 demonstrate clearly the previous and persistent under supply of new homes and the failure of the plan to properly address this until much later in the Plan period.

The period 2011/12 – 2021/22 has seen an average of 275 dwellings per annum against an annualised average of 518 dpa, a shortfall of 2,677 dwellings. Moreover, the Government's Housing Delivery Test analysis published in January 2022 shows that EFDC are the third worst performing authority in the whole of the country, delivering only 35% of their target in the last three years. Only Southend (31%) and Eastbourne (32%) performed worse. As such, the presumption in favour of sustainable development in Epping Forest already exists.

Rather than seeking to address this shortfall in the next five years, the Council has simply calculated what can reasonably be delivered in the period from the sites it has already identified and then arbitrarily defined a new 5-year housing land supply target of 500 dpa, (still below the annualised average of 518 dpa) thereby failing to address any of the shortfall of the last 10 years. Applying a 20% uplift to require 600 units in the period, they can claim to have a five year supply of sites. Effectively 'retrofitting' the 5 year target to the supply cannot make the Plan sound.

Moreover, in the table showing delivery at Page 4 of Appendix A to ED141 the under supply of the last ten years, even on the Council's optimistic assumptions, is exacerbated in 2022/23 (235 units), 2023/24 (380 units) and 2024/25 (491 units). Only in the last two years of the 5 year period is supply predicted to increase with a sudden jump in 2025/26 (950 units) and 2027/27 (1188 units).

Even with the significantly reduced target for the next five year and the reliance on a huge increase in delivery in the last two years of that five year period, the Council can only demonstrate 5.4 years of supply. It would only take a small slippage in delivery for the Council to fail to meet their reduced target.

Wates have continuously made the point that the reliance of the Plan on strategic sites that only start to deliver towards the end of the period is unsound. In the meantime delivery will be suppressed and affordability will fail to be addressed. The Council's new analysis in this regard shows that the further delays in the plan-making process and failure to bring any significant sites to planning permissions in the meantime has made the position much worse.

7. Please set out what change(s) *(Continue on a separate sheet if necessary)* **Further Main Modification and/or supporting document** legally compliant or sound, having regard to the test you have identified in the question above (Positively prepared/Justified/Effective/Consistent with national policy) where this relates to soundness. You will need to say why this change will make the Submission Version of the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise and concise as possible. If your response exceeds 300 words please also provide an executive summary of no more than 300 words.

The Council should review the allocations and seek to identify further land that could be brought forward in the short term to make up for the persistent under supply in housing and reduce the extent of the defined steps in the trajectory.

*(Continue on a separate sheet if necessary)*

8. Have you attached any documents with this representation which specifically relate to a further MM or supporting document?

Yes

No

Signature:

*Martin Friend*

Date

07/12/22

Name:

**Part B – Your representation on the further Main Modifications and/or supporting documents**

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Supporting document reference

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If no, then which of the soundness test(s) does it fail

- Positively prepared       Effective
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Inspector’s Action 30 required the Council to demonstrate that SEMPA is capable of making a meaningful contribution towards the District’s housing supply. The Council’s analysis of the discussions with the promoters and their justification for the yield from the site in ED141 pages 20 – 27 make very clear that both allocations within the SEMPA have very significant constraints, a point that Wates have made throughout the Examination. The reduction from 950 to 450 dwellings during the Examination was demonstration if one were needed regarding the paucity of the environment analysis that was undertaken in allocating this land and in defining the yield from it. Even at this stage, no proper technical work is adduced to support initial masterplanning of the site to demonstrate clearly the deliverability, yield and timing of the development. The addition of a build line is also not based on any detailed landscape or heritage assessment. Given this absence of cogent evidence it is considered that the allocation is unsound.

7. Please set out what change(s) you consider necessary to make the **further Main Modification and/or supporting document** legally compliant or sound, having regard to the test you have identified in the question above (Positively prepared/Justified/Effective/Consistent with national policy) where this relates to soundness. You will need to say why this change will make the Submission Version of the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise and concise as possible. If your response exceeds 300 words please also provide an executive summary of no more than 300 words.

Delete the SEMPA allocation

*(Continue on a separate sheet if necessary)*

8. Have you attached any documents with this representation which specifically relate to a further MM or supporting document?

Yes

No

Signature:

*Martin Friend*

Date

07/12/22



Name:

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The length of time it has taken to prepare the Local Plan is such that the Council should commit to an immediate review as soon as this plan is adopted, not 'no later than 5 years' from adoption as proposed in MM111 and 112.

Continued

The draft plan was submitted to the Secretary of State in September 2018 and circumstances have already changed. Fundamentally by the time the plan is adopted (if it is found sound) in say Q1 2023 it will have been 4½ years since submission and much longer since the evidence base was prepared that supports the contents of the plan. Since that time there has been significant changes in the NPPF, national policy on other matters such as climate change, and new demographic data. In essence, the Plan will be out of date at the point of adoption. Indeed, we would seriously question whether in the circumstances the Plan can be found sound. However, given it is likely after this long period of gestation the Inspector will want to see the plan adopted, this must be alongside a firm commitment to commence the review process immediately.

Moreover, the plan period runs to 2033. Assuming it is adopted in 2023 this will represent 10 years until the end of the Plan period. This is contrary to NPPF para. 22 which makes clear that

*“Strategic policies should look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure.”*

Given the strategic nature of the distribution of development and the infrastructure requirements to support it, if the Plan is to be found sound, it is fundamental to the proper planning of the District to roll forward the plan by immediate formal review. Even if this were to be a fairly streamlined review process, given the Council’s track record in plan-making we would suggest that the immediate plan review looks forward to 2040. This would need a full review of housing requirements, distribution and Green Belt boundaries. Whilst some of the existing plans’ strategic development commitments will flow through to the later 2030s it is clear that such a review would require a new SHMA and a review of the housing trajectory against progress of the strategic sites to maintain a 5-year supply of housing land.

MM111 suggests a review of the plan ‘no later than 5 years of adoption’. This may not therefore take place until 2028. If this is a formal process that took say 2 years (optimistic given the Council’s track record), by the time a review was adopted in 2030, the end of the current plan period would only be 3 years away. This would be no way to plan for the future of the District and will undermine the delivery of development and the certainty required to allow housing needs in particular to be met.

7. Please set out what change(s) *(Continue on a separate sheet if necessary)* **Further Main Modification and/or supporting document** legally compliant or sound, having regard to the test you have identified in the question above (Positively prepared/Justified/Effective/Consistent with national policy) where this relates to soundness. You will need to say why this change will make the Submission Version of the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise and concise as possible. If your response exceeds 300 words please also provide an executive summary of no more than 300 words.

Amend Policy D7 to commit to an immediate review upon adoption of the plan.

*(Continue on a separate sheet if necessary)*

8. Have you attached any documents with this representation which specifically relate to a further MM or supporting document?

Yes

No

Signature:

*Martin Friend*

Date

07/12/22